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INFO LOG-00 OASY-00 ANHR-01 TEDE-00 ADS-00 SS-00 /001W
-----65F111 091340Z /38

O 091329Z AUG 94
FM AMEMBASSY KAMPALA
TO SECSTATE WASHDC IMMEDIATE 1353
INFO AMEMBASSY BUJUMBURA IMMEDIATE
AMEMBASSY NAIROBI IMMEDIATE
AMEMBASSY LONDON
AMEMBASSY KINSHASA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMEMBASSY DAR ES SALAAM
NSC WASHDC
SECDEF WASHDC
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 02 KAMPALA 006337

DEPT. FOR U/S WIRTH FROM A/S JOHN SHATTUCK
DEPT. ALSO FOR AF A/S GMOOSE; IO - DBENNET;
L - CHARPER; D-CDALPINO AND P; DRL-TFREEMAN
USAID - BATWOOD

NSC FOR - SBERGER, MHALPERIN, DSTEINBERG
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DOD FOR - CFREEMAN

USUN FOR - DSCHEFFER

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, RW, CG, UN
SUBJECT: INTERIM TRIP REPORT - KIGALI AND GOMA

1. CONFIDENTIAL - ENTIRE TEXT.

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2. BEFORE I RETURN TO KIGALI FOR A SECOND ROUND OF DISCUSSIONS WITH RPF/GOR LEADERS -- AND FOLLOWING A DAY WITNESSING THE STILL-CRITICAL REFUGEE SITUATION IN THE CAMPS NEAR GOMA -- I WANTED TO SHARE SOME INITIAL IMPRESSIONS WITH YOU. AFTER TOMORROW'S VISIT TO KIGALI AND FOLLOW-ON DISCUSSIONS IN BUJUMBURA AND PARIS, I WILL OFFER RECOMMENDATIONS ON HOW TO PROCEED ON ACCOUNTABILITY ISSUES -- WHICH ARE AT THE HEART OF THE NATIONAL RECONCILIATION IN RWANDA AND WHICH HAVE POWERFUL IMPLICATIONS FOR MAINTAINING THE BALANCE IN BURUNDI.

KIGALI HALTING STEPS TOWARD JUSTICE

3. IN MY FIRST DAY OF MEETINGS, AUGUST 6, IN KIGALI, I MET WITH RPF LEADER PAUL KAGAME (WHO IS NOW VICE PRESIDENT AND DEFENSE MINISTER). I ALSO MET WITH THE MINISTERS OF JUSTICE AND RECONSTRUCTION, BUT IT IS KAGAME WHOSE WORD WILL BE DECISIVE ON HOW JUSTICE IS

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GOING TO BE DEFINED IN RWANDA IN THE DAYS AHEAD. I TOLD KAGAME THAT THE WORLD WOULD BE WATCHING HOW HE HANDLES THE ACCOUNTABILITY ISSUE AND ASKED HIM IF HE DIDN'T SHARE OUR VIEW THAT THE CHANCES FOR NATIONAL RECONCILIATION IN RWANDA WILL BE CRITICALLY AFFECTED BY HOW HE DECIDED TO IDENTIFY, JUDGE AND PUNISH SUSPECTED WAR CRIMINALS. I TOLD HIM THAT THE U.S. IS CONVINCED THAT JUSTICE CAN BE ACHIEVED AND NATIONAL RECONCILIATION FURTHERED ONLY IF ACCOUNTABILITY FOR GENOCIDE AND WAR CRIMES IS REMOVED FROM THE TORN RWANDAN CONTEXT AND MANDATED TO AN INTERNATIONAL TRIBUNAL. I TOLD HIM THAT WE BELIEVE THAT A TRIBUNAL CAN BE CONSTITUTED AND RUNNING IN A REASONABLY SHORT TIME AND THAT WHILE I UNDERSTOOD THE PRESSURES TO CONTROL THE PROCESS, THE NEW GOVERNMENT'S GOOD STANDING IN THE INTERNATIONAL COMMUNITY AND THE HEALING PROCESS IN RWANDA WOULD BE AT RISK IF THE NEW GOVERNMENT WAS SEEN TO BE RESORTING TO A PROCESS OF LEGALIZED SCORE-SETTLING WITH THE HUTU MAJORITY. I ALSO EXPRESSED MY CONCERN OVER ACCUMULATING REPORTS OF NEW ATROCITIES INVOLVING RETURNED REFUGEES.

4. KAGAME'S RESPONSE WAS CAUTIOUSLY ENCOURAGING. HE ACKNOWLEDGED THAT SOME VENGEANCE KILLINGS HAD LIKELY

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OCCURRED (AND THAT GIVEN THE HORRIFIC RECENT HISTORY OF THE COUNTRY WOULD LIKELY CONTINUE TO OCCUR). HOWEVER, HE SAID THE GOVERNMENT HAD NOT AND WOULD NOT LEGITIMIZE SUCH INDIVIDUAL ACTS; IT CERTAINLY HAD NOT ADOPTED A POLICY OF SYSTEMATIC EXTRAJUDICIAL EXECUTION AND WOULD NOT DO SO. HE ALSO STATED THAT THE RPF HAD CALLED FOR AN INTERNATIONAL TRIBUNAL FOR
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RWANDA AND CONTINUES TO SUPPORT THE IDEA. HIS CONCERN, HOWEVER, WAS THAT SUCH A PROCESS WOULD BE FAR TOO LENGTHY TO MEET THE REQUIREMENTS OF JUSTICE. HE CITED THE YUGOSLAVIA EXPERIENCE. THEREFORE, HE WAS OF THE VIEW THAT HIS GOVERNMENT WOULD LIKELY HAVE TO TAKE THE INITIATIVE.

5. I TOLD KAGAME I WAS PLEASED THAT HE HAD NO PRINCIPLED OBJECTION TO AN INTERNATIONAL TRIBUNAL, BUT THAT I BELIEVED THAT INTERNATIONAL JUDICIAL PROCEEDINGS ON RWANDA COULD BEGIN MUCH SOONER THAN HE SEEMED TO THINK POSSIBLE. I EXPLAINED TO HIM WHY IT WOULD BE POSSIBLE TO AVOID THE DELAYS THAT HAVE PLAGUED THE FORMER YUGOSLAVIA TRIBUNAL AND ASKED HIM TO CONSIDER EXPEDITING THAT PROCESS BY INDICATING HIS SUPPORT IN A LETTER TO THE SECRETARY GENERAL WHICH WOULD ALSO CONDEMN INDIVIDUAL ACTS OF VENGEANCE. I

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LEFT HIM WITH A DRAFT TEXT. IN MEETINGS TOMORROW, I
EXPECT A MORE CONSIDERED RESPONSE FROM GOF/RPF
OFFICIALS, AND WOULD HOPE TO BE ABLE TO PROCEED
FURTHER WITH A DIALOGUE ON WHAT WE CAN DO TOGETHER TO
MEET THE BROAD RANGE CHALLENGES THE NEW REGIME FACES
BEGINNING WITH THE JUSTICE/NATIONAL RECONCILIATION
CONUNDRUM.

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GOMA: THE DANGER OF A RWANDAN GAZA

6. I SPENT THE DAY IN GOMA AND THE PROXIMATE REFUGEE CAMPS -- HOME TO AN ESTIMATED 800,000 MISERABLE AND SHELL-SHOCKED HUMAN BEINGS WHO ARE NEVERTHELESS NO LONGER ON THE VERGE OF MASS DEATH. THIS IS THANKS TO THE ENORMOUSLY IMPRESSIVE HUMANITARIAN EFFORT UNDERTAKEN BY THE MILITARIES OF SEVERAL NATIONS (WITH THE U.S. AND FRANCE IN THE LEAD), INTERNATIONAL ORGANIZATIONS AND NGOS. I REMAIN EXTREMELY CONCERNED ABOUT THE ACTIVITIES AND INTENTIONS OF THE FORMER RWANDAN ARMY AND MILITIA WHO ARE LIVING NEAR AND OPERATING IN THE REFUGEE ENCAMPMENTS. THEIR SUCCESS

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AT ORGANIZING IN THE CAMPS HAVE ENABLED THEM TO INTIMIDATE THE REFUGEES WHO WOULD OTHERWISE CONSIDER RETURNING TO RWANDA; THEY ALSO APPEAR TO BE BRIBING CAMP LEADERS TO THIS END. THERE IS A REAL POSSIBILITY THAT THE FORMER GOR WILL SUCCEED AT CREATING AN ENTRENCHED REFUGEE POPULATION (A LA GAZA) AS A FIRST STEP IN A PROGRAM OF RECONQUEST. THE HEAD OF UNHCR OPERATIONS CHARACTERIZED THE MAJORITY OF HUTU REFUGEES LEADERS AS IMMOBILIZED BY "OLD FEARS AND COLLECTIVE GUILT."

LOOKING AHEAD: HOW TO BREAK THE CYCLE

7. THE CYCLE OF RETRIBUTION AND DEATH IN RWANDA, IF IT IS EVER TO BE BROKEN, REQUIRES IMMEDIATE ACTION ON THE WAR CRIMES TRIBUNAL AND A CONCERTED EFFORT WITH RWANDA'S NEIGHBORS (AND MOST CRITICALLY, ZAIRE) TO DEFUSE THE REFUGEE EXPLOSION. IT WILL ALSO REQUIRE CLEAR PROOF THAT REFUGEES CAN SAFELY RETURN HOME. I WILL SUBMIT ON MY RETURN SUGGESTIONS FOR ACTIONS INVOLVING KIGALI, OTHER KEY PLAYERS (RWANDA'S NEIGHBORS, FRANCE AND BELGIUM) AND THE UN. I ALSO BELIEVE THERE ARE A VARIETY OF ACTIONS WE CAN TAKE IN RWANDA AND BURUNDI TO CREATE AND STRENGTHEN, THE NATIONAL EQUILIBRIUM. SHERPER

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